

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Davarrio Webb, #451915,

Plaintiff,

v.

Case No. 12-12370
Honorable Sean F. Cox

Saginaw Police Department, *et al.*,

Defendants.

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION AND
DISMISSING CLAIMS AGAINST DEFENDANT JOAQUIN GUERRO

Acting *pro se*, Plaintiff filed this action on May 3, 2012, asserting claims against several Defendants.

This Court later referred the action to Magistrate Judge Mark Randon for issuance of a Report and Recommendation and for the entry of any preliminary orders. (Docket Entry No. 13).

On December 3, 2012, Plaintiff filed a Motion for Leave to File First Amended Complaint (Docket Entry No. 21). Instead of attaching his proposed Amended Complaint to his motion, Plaintiff filed it as a separate document. (Docket Entry No. 22). Thereafter, after Defendants had filed an Answer to the Amended Complaint, Magistrate Judge Randon issued an Order granting Plaintiff's Motion for Leave to File First Amended Complaint. (Docket Entry No. 25).

Because Plaintiff's Motion had indicated that Plaintiff wished to dismiss Defendant

Joaquin Guerro, Magistrate Judge Randon also issued a Report and Recommendation (“R&R”) wherein he recommends that this Court dismiss Plaintiff’s claims against Defendant Joaquin Guerro. (Docket Entry No. 26).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R.

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed any objections to the R&R.

The Court hereby ADOPTS the December 20, 2012 R&R and ORDERS that Plaintiff’s claims against Defendant Joaquin Guerro are DISMISSED.

IT IS SO ORDERED.

Dated: January 9, 2013

S/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on January 9, 2013, the foregoing document was served upon counsel of record by electronic means and upon Davarrio Webb by First Class Mail at the address below:

Devarrio Webb
451915
Bellamy Creek Correctional Facility
1727 West Bluewater Highway
Ionia, MI 48846

Dated: January 9, 2013

S/ J. McCoy
Case Manager